

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Belford William Reitz, III,

Civil 13-1099 SRN/FLN

Petitioner,

v.

O R D E R

Steve Hammer, Warden, and  
Tom Roy, Commissioner of Corrections,

Defendants.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by  
United States Magistrate Judge Franklin L. Noel dated May 22, 2013, all the files and  
records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

1. Petitioner's application for a writ of habeas corpus (Doc. No. 1) **is**  
**DENIED**;
2. The case is **DISMISSED WITHOUT PREJUDICE**
3. Petitioner should NOT be granted a Certificate of Appealability.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

DATED: June 11, 2013.  
at St. Paul, Minnesota

s/Susan Richard Nelson  
JUDGE SUSAN RICHARD NELSON  
United States District Court